

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 3242 of 2003

Between:

Ch.Koti Reddy S/o.Ch.Bali Reddy

R/o.Vadinepally Village, Malla Cheruvu Mandal

Nalgond Dist

..... PETITIONER

AND

- 1 The District Level Committee, Guntur, Rep. by its Chairman
- 2 The District Level Committee, Nalgonda, Rep. by its Chairman
- 3 The District Collector, Nalgonda
- 4 The District Panchayat Officer, Guntur, Guntur District
- 5 Executive Engineer, River Conservator
K.C.Division, Vijayawada, Krishna District
- 6 The Mandal Revenue Officer,
Malla Cheruvu, Guntur Dist.
- 7 Dharanikota Sand & Ferry Boat Workers Coop. Society Ltd.
Rep. by its President, Sri N.China Subba Rao,
Dharanikota Village, Amaravathi Mandal,
Guntur District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or writ one in the nature of writ of mandamus declaring the action of the Respondents Nos.1 to 6 in not taking action against Respondent no.7 in laying a new ramp at Vagenipally for quarry sand in Reach No.15 of Achampet Mandal, Guntur District and the action of the Respondent No.7 in laying a new ramp contrary to the terms and conditions for quarry of sand from Reach No.15 of Achampet Mandal, Guntur District and Right Flod bank of Krishna River, Guntur District as arbitrary, illegal, unjust and unconstitutional.

Counsel for the Petitioner:SMT.N.SHOBA

**Counsel for the Respondent Nos.1 to 6: GP FOR PANCHAYAT RAJ
& RURAL DEV.**

Counsel for the Respondent No.7 ...

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3242 of 2003

ORDER:

The seventh respondent herein was granted right to quarry sand in reach No.15 of Achampet Mandal for a period of one year from 4.6.2001 to 3.6.2002. After completion of the lease, on a representation made by seventh respondent, fourth respondent extended the lease for a further period of one year from 4.6.2002 to 3.6.2003. The petitioner, who is Ex-Sarpanch of Vajinepally Village in Malla Cheruvu Mandal, Nalgonda District, filed the present Writ Petition alleging that seventh respondent started laying a new ramp without obtaining any permission and in contravention of clause 16 of the agreement. The petitioner therefore made representations to Krishna River Water Conservator, in vain. Therefore, present Writ Petition is filed seeking a declaration that the action of the respondents 1 to 6 in not taking action against respondent No.7, who is laying a new ramp at Vajinepally for quarrying sand in reach No.15 of Achampet Mandal, is illegal and arbitrary.

This Court while admitting the Writ Petition on 4.3.2003 passed orders in W.P.M.P.No.424 of 2003 to the effect that unless a direction is granted for fifth respondent, seventh respondent shall not lay any ramp at Vajinwpally Village. Be that as it is, even from the proceedings of the District Panchayat Officer dt.25.5.2002, seventh respondent was given extension of lease upto 3.6.2003, which has expired. Therefore, nothing survives in the Writ Petition.

The Writ Petition is accordingly dismissed as infructuous. No costs.

(V.V.S.RAO, J)

8.9.2004

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To

- 1 The Chairman, District Level Committee, Guntur
- 2 The Chairman, District Level Committee, Nalgonda,
- 3 The District Collector, Nalgonda District, Nalgonda
- 4 The District Panchayat Officer, Guntur District, Guntur
- 5 Executive Engineer, River Conservator
K.C.Division, Vijayawada, Krishna District
- 6 The Mandal Revenue Officer,
Malla Cheruvu, Guntur Dist.
- 7 2 CCs to the G.P. for Panchayat Raj & Rural Development
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